
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, MAY 8, 2017.

[45]

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Nangle of Lowell in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by Father Rick Walsh of the Paulist Center of Boston, Chaplain of the House, as follows:

Loving God, we pray for all who make this Chamber and the surrounding offices their workplace. Give them good health of mind and body as they conduct the affairs of government.

Prayer.

God of Order and Harmony, we thank You especially for the efforts of the State Librarian, Ms. Elvernoy Johnson and her staff at the State Library.

Today, we remember the contribution of Melville Dewey to our nation's libraries. It was on this day in 1873, while studying at Amherst College, he proposed to the faculty a method he devised to organize the school's library. His effort was so successful that other schools used his simple, standardized system for cataloging library books that became known as the Dewey Decimal System.

May God continue to bless our Commonwealth.

At the request of the Chair (Mr. Nangle), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor — Bill Returned with Recommendation of Amendment.

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill establishing a sick leave bank for Marie Visco, an employee of the Department of Public Health [see House, No. 3450, amended] (for message, see House, No. 3675), was filed in the office of the Clerk on Thursday, May 4.

Marie Visco,—
sick leave.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was thereupon "before the General Court and subject to amendment and re-enactment".

Pending the question on adoption of the amendment recommended by His Excellency, the bill was referred, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Ms. Cronin of Easton) congratulating Robert Murphy of the town of Easton on his elevation to the rank of Eagle Scout;

Robert
Murphy.

Resolutions (filed by Ms. Hogan of Stow) congratulating James Ervin on

James

achieving the rank of Eagle Scout with the Boy Scouts of America;

Resolutions (filed by Representatives Mahoney of Worcester, O'Day of West Boylston, Keefe of Worcester, Donahue of Worcester and Campanale of Leicester) congratulating the Massachusetts Academy of Math and Science on its twenty-fifth anniversary; and

Resolutions (filed by Mr. Murray of Milford) congratulating the town of Mendon on its three hundred and fiftieth anniversary;

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Wong of Saugus, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Ervin.
Academy
of Math
and Science.

Mendon,—
anniversary.

Orders.

The following order (filed by Mr. Golden of Lowell) was adopted:

Ordered, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering a proposal for a legislative amendment to the Constitution relative to term limits for judges (House, No. 61), — with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass.

Judges,—
term limits.

The following order (filed by Mr. Jones of North Reading) was adopted:

Ordered, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering a proposal for a legislative amendment to the Constitution relative to creating an independent redistricting commission (House, No. 59), — with reference to which the committee on Election Laws has reported that the amendment ought NOT to pass.

Redistricting,—
independent
commission.

The following order (filed by Mr. Jones of North Reading) was adopted:

Ordered, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering a proposal for a legislative amendment to the Constitution relative to prohibiting eminent domain takings (House, No. 62), — with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass.

Eminent
domain.

The following order (filed by Mr. Mark of Peru) was adopted:

Ordered, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution to declare rights afforded to the human inhabitants of the Commonwealth are not applicable to corporations, limited liability companies or any other corporate entities (House, No. 63), — with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass.

Corporations,—
rights.

The following order (filed by Mr. Mark of Peru) was adopted:

Ordered, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution to define the succession plan for a vacancy in the office of Lieutenant-Governor (House, No. 64),— with reference to which the committee on the Judiciary has reported that the amendment ought NOT to pass.

Lieutenant-Governor,—
vacancies.

The following order (filed by Mr. Rushing of Boston) was adopted:

Ordered, That the House hereby calls for a joint session of the two houses, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, for the purpose of considering the proposal for a legislative amendment to the Constitution relative to the subject matter of initiative petitions (House, No. 65),— with reference to which the committee on the Judiciary has reported that the amendment ought to pass, with an amendment substituting therefor a proposal with the same title (Senate, No. 2055).

Initiative
petitions.

Communication.

A communication from the Massachusetts College of Art and Design (see Section 634 of Chapter 26 of the Acts of 2003) submitting its performance report for the fiscal year 2016, was placed on file.

College of Art
and Design.

Annual and Special Reports.

Annual reports

Of the Department of Elementary and Secondary Education (under Section 432 of Chapter 159 of the Acts of 2000) on the implementation and fiscal impact of innovation schools; and

Innovation
schools.

Of the Division of Administrative Law Appeals (pursuant to Section 4H of Chapter 7 of the General Laws) for calendar year 2016;

Administrative
Law Appeals.

A monthly report of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) relative to the condition of the Commonwealth's Unemployment Insurance Trust Fund for April 2017; and

Unemployment
Insurance Trust
Fund.

A report of the Department of Transportation, Rail and Transit Division (under Subsection 11 of Section 151 of Chapter 127 of the Acts of 1999) submitting a report outlining the net operating investment per passenger mile ratio for fiscal years 2015 through 2019;

Rail and Transit
Division,—
operating
investments.

Severally, were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Collins of Boston, a petition (subject to Joint Rule 12) of Nick Collins and Daniel J. Hunt (with the approval of the mayor and city council) that the city of Boston be authorized to fund early education programs through a certain surcharge.

Boston,—
early education.

By Ms. Garlick of Needham, a petition (subject to Joint Rule 12) of Denise C. Garlick relative to MassHealth reimbursements to local educational authorities.

MassHealth,—
reimbursements.

By Mr. McKenna of Webster, a petition (subject to Joint Rule 12) of Joseph D. McKenna relative to the classification and tiering of disproportionate share and

Hospitals.

geographically isolated hospitals.

Severally, under Rule 24, to the committee on Rules.

Petitions (deposited with the Clerk previously to five o'clock in the afternoon on Friday, January 20, 2017) were transmitted to the State Secretary under Chapter 3 of the General Laws, as follows:

By Mr. Cabral of New Bedford and others, petition (subject to Joint Rule 9) of Antonio F. D. Cabral and others relative to the relocation of certain harbor lines in the town of Fairhaven and the city of New Bedford.

By Mr. Kafka of Stoughton and others, petition (subject to Joint Rule 9) of Louis L. Kafka and others that the Massachusetts Credit Union Share Insurance Corporation be authorized to create and maintain a fund for the insurance of shares and deposits of members of the Central Credit Union Fund, Inc.

By Mr. Vega of Holyoke and others, petition (subject to Joint Rule 9) of Aaron Vega, Gailanne M. Cariddi and Elizabeth A. Poirier relative to authorizing the merger of the Salvation Army of Massachusetts, Inc. into the Salvation Army, a New York Corporation.

Fairhaven and
New Bedford,—
harbor lines.

Massachusetts
Credit Union
Share Insurance
Corporation.

Salvation
Army,—
merger.

Papers from the Senate.

The following order was adopted, in concurrence:

Ordered, That, conformably to the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution, a joint session of the two Houses be held on Wednesday, May 10, 2017, at one o'clock P.M., for the purpose of considering proposals for amendments to the Constitution.

Insofar as applicable, the special rules of procedure, in effect in the preceding General Court shall govern said joint session, and any further sessions called for the purpose of considering amendments to the Constitution.

Joint
convention.

A petition of Michael D. Brady for legislation to further regulate the appointment of certain guardians, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2066) was referred, in concurrence, to the committee on the Judiciary.

Guardians,—
appointment.

The following notice was received from the Clerk of the Senate, to wit:—

May 8, 2017.

Honorable Robert A. DeLeo
Speaker of the House of Representatives
Room 356, State House
Boston, MA 02133

Dear Mr. Speaker:

I have the honor to inform you that the Honorable Stanley C. Rosenberg, President of the Senate, has announced the appointment of Senator Jennifer L. Flanagan as the Vice Chairman of the Joint Committee on Public Service.

Senator Jennifer L.
Flanagan,—
Public Service.

Respectfully submitted,
WILLIAM F. WELCH,
Clerk of the Senate.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Tackey Chan for legislation to include the compensation of employees of the Massachusetts Water Resources Authority for certain retirement purposes. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Water Resources
Authority,—
compensation.

By Mr. Kaufman of Lexington, for the committee on Revenue, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3327) of Hannah Kane and others relative to donations of food to persons in need,— and recommending that the same be referred to the committee on the Judiciary. Under Rule 42, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Food
donations.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Gail Normandin, an employee of the Executive Office of Labor and Workforce Development (Senate, No. 2059), be scheduled for consideration by the House.

Gail Normandin,—
sick leave.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently under suspension of the rules, on further motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Ramona Foster, an employee of the Department of Elementary and Secondary Education (Senate, No. 2054), be scheduled for consideration by the House.

Ramona Foster,—
sick leave.

Under suspension of Rule 7A, on motion of Mr. Kafka of Stoughton, the bill was read a second time forthwith; and it was ordered to a third reading.

By Ms. Cariddi of North Adams, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to access to the Hollingsworth Dam (House, No. 2141). Read; and referred, under Rule 33, to the committee on Ways and Means.

Hollingsworth
Dam.

By Ms. Cariddi of North Adams, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill designating a certain area in the Dorchester section of the city of Boston in memory of Carl E. Hosea, Jr. (House, No. 2923).

Boston,—
Carl E.
Hosea, Jr.

By the same member, for the same committee, on House, No. 2922, a Bill designating a bench in memory of Ambrose Valentino (House, No. 3686).

Boston,—
Ambrose Valentino.

By the same member, for the same committee, on House, No. 2925, a Bill relative to Saint Pope John Paul Park (House, No. 3687).

Boston,—
Pope John
Paul Park.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

By Mr. Dempsey of Haverhill, for the committee on Ways and Means, that the Bill establishing the Massachusetts pregnant workers fairness act (House, No. 3659), ought to pass with an amendment substituting a bill with the same title (House, No. 3680). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling, with the amendment pending.

Pregnant
workers,—
rights.

Mr. Murphy of Weymouth, for said committee, then reported that the matter be scheduled for consideration by the House; and, under said rule, it was placed in the Orders of the Day for the next sitting for a second reading, with the amendment pending.

By Mr. Murphy of Weymouth, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

The Senate Bill amending the charter of the city of Lowell (Senate, No. 1125) [Local Approval Received]; and

Lowell,—
charter.

The House Bill authorizing the City of Lowell to use land at 512 Clark Road and 512.1 Clark Road, which includes land extending into Tewksbury and is currently athletic fields and public space, and land at 438 Douglas Road and portions of 424 Douglas Road and 492 Douglas Road, which is currently a parking lot for Cawley Stadium, for the construction of a new public high school and school related purposes thereto (House, No. 3654, changed) [Local Approval Received];

Lowell,—
land.

Severally placed in the Orders of the Day for the next sitting for a second reading.

Orders of the Day.

The Senate Bill authorizing the trustees of the bathing beaches in the town of Hingham to enter into a lease for the operation of the bathhouse facility and surrounding grounds (Senate, No. 22), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Hingham,—
bathing
beaches.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.

Next
sitting.

At twenty-seven minutes after eleven o'clock A.M., on motion of Mr. Hill of Ipswich (Mr. Nangle of Lowell being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.